

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

GT Equipment Technologies, Inc.

v.

Civil No. 05-cv-229-JM

Nu Vacuum Systems, Inc.

**O R D E R**

Defendant has defaulted. Plaintiff is entitled to judgment and I find and award the following damages based upon the evidence presented at the damages hearing:

\$32,340.00	The remainder of the advance payment after deducting the cost of the two (2) delivered chambers (\$124,000.00 minus \$91,660.00).
\$ 3,000.00	The cost to rework the defective top chamber flange on the first chamber. Exhibit 2.
\$13,989.00	The cost to remove and replace incorrectly positioned electrode ports on the second chamber. Exhibit 3.
\$13,989.00	The anticipated cost to remove and replace the electrode ports on the first chamber.
\$ 1,000.00	Transportation costs for work on both chambers.
\$ 1,200.00	Cost incurred for additional inspection of the chambers.
\$ 2,400.00	Cost for time spent finding and negotiating with other suppliers to make up for Nu Vacuum's failure to provide additional chambers and bases.

\$ 800.00	Cost for time spent finding and negotiating with other suppliers for bases that Nu Vacuum was supposed to supply along with the two chambers.
\$ 1,600.00	Administrative cost for time incurred by Jim Bosco, Dick LeCompt and Karl Pexider arranging repairs and expediting delivery of the late delivered and defective chambers.
\$24,000.00	Cost of overtime paid to GT shop employees for work towards meeting contractual shipment obligations to clients, as a result of Nu Vacuum's failure to provide chambers and bases as contracted.
<b>\$94,318.00</b>	<b>Total</b>

In addition, plaintiff is awarded legal fees of \$2,607.50 and legal expenses of \$394.93. Judgment is entered in the total amount of \$97,320.43.

**SO ORDERED.**

  
James R. Muirhead  
United States Magistrate Judge

Date: October 6, 2005

cc: George R. Moore, Esq.  
Timothy E. Bray, Esq.